

Revision: HCFA-PM-91- (BPD)  
AUGUST 1991

OMB No.: 0938-

State/Territory: West Virginia

SECTION 3 - SERVICES: GENERAL PROVISIONS

Citation

3.1 Amount, Duration, and Scope of Services

42 CFR  
Part 440,  
Subpart B  
1902(a), 1902(e),  
1905(a), 1905(p),  
1915, 1920, and  
1925 of the Act

(a) Medicaid is provided in accordance with the requirements of 42 CFR Part 440, Subpart B and sections 1902(a), 1902(e), 1905(a), 1905(p), 1915, 1920, and 1925 of the Act.

(1) Categorically needy.

Services for the categorically needy are described below and in ATTACHMENT 3.1-A. These services include:

1902(a)(10)(A) and  
1905(a) of the Act

(i) Each item or service listed in section 1905(a)(1) through (5) and (21) of the Act, is provided as defined in 42 CFR Part 440, Subpart A, or, for EPSDT services, section 1905(r) and 42 CFR Part 441, Subpart B.

(ii) Nurse-midwife services listed in section 1905(a)(17) of the Act, as defined in 42 CFR 440.165 are provided to the extent that nurse-midwives are authorized to practice under State law or regulation. Nurse-midwives are permitted to enter into independent provider agreements with the Medicaid agency without regard to whether the nurse-midwife is under the supervision of, or associated with, a physician or other health care provider.

☒ Not applicable. Nurse-midwives are not authorized to practice in this State.

TN No. 94-15

Supersedes

TN No. 90-07

Approval Date

JUN 20 1995

Effective Date

JUL 01 1994

HCFA ID: 7982E

Revision: HCFA-PM-91-4 (BPD)  
AUGUST 1991

OMB No.: 0938-

State/Territory: West Virginia

Citation 3.1(a)(1) Amount, Duration, and Scope of Services:  
Categorically Needy (Continued)

- 1902(e)(5) of  
the Act
- (iii) Pregnancy-related, including family planning services, and postpartum services for a 60-day period (beginning on the day pregnancy ends) and any remaining days in the month in which the 60th day falls are provided to women who, while pregnant, were eligible for, applied for, and received medical assistance on the day the pregnancy ends.
- ☒ (iv) Services for medical conditions that may complicate the pregnancy (other than pregnancy-related or postpartum services) are provided to pregnant women.
- 1902(a)(10),  
clause (VII)  
of the matter  
following (E)  
of the Act
- (v) Services related to pregnancy (including prenatal, delivery, postpartum, and family planning services) and to other conditions that may complicate pregnancy are the same services provided to poverty level pregnant women eligible under the provision of sections 1902(a)(10)(A)(i)(IV) and 1902(a)(10)(A)(ii)(IX) of the Act.

TN No. 94-15

Supersedes

TN No. 90-07

Approval Date

JUN 30 1995

Effective Date

JUN 01 1994

HCFA ID: 7982E

Revision: HCFA-PM-91- (BPD)  
AUGUST 1991

OMB No.: 0938-

State/Territory: West Virginia

Citation 3.1(a)(1) Amount, Duration, and Scope of Services:  
Categorically Needy (Continued)

(vi) Home health services are provided to individuals entitled to nursing facility services as indicated in item 3.1(b) of this plan.

1902(e)(7) of the Act

(vii) Inpatient services that are being furnished to infants and children described in section 1902(l)(1)(B) through (D), or section 1905(n)(2) of the Act on the date the infant or child attains the maximum age for coverage under the approved State plan will continue until the end of the stay for which the inpatient services are furnished.

1902(e)(9) of the Act

/X/ (viii) Respiratory care services are provided to ventilator dependent individuals as indicated in item 3.1(h) of this plan.

1902(a)(52) and 1925 of the Act

(ix) Services are provided to families eligible under section 1925 of the Act as indicated in item 3.5 of this plan.

ATTACHMENT 3.1-A identifies the medical and remedial services provided to the categorically needy, specifies all limitations on the amount, duration and scope of those services, and lists the additional coverage (that is in excess of established service limits) for pregnancy-related services and services for conditions that may complicate the pregnancy.

TN No. 94-15

Supersedes

TN No. NEW

Approval Date

JUN 30 1995

Effective Date

JUN 01 1994

HCFA ID: 7982E

Revision: HCFA-PM-91-4 (BPD)  
AUGUST 1991

OMB No.: 0938-

State/Territory: West Virginia

Citation 3.1 Amount, Duration, and Scope of Services (continued)

42 CFR Part 440, (a)(2) Medically needy.  
Subpart B

☒ This State plan covers the medically needy.  
The services described below and in ATTACHMENT  
3.1-B are provided.

Services for the medically needy include:

1902(a)(10), (C)(iv) of the Act (i) If services in an institution for mental diseases or an intermediate care facility for the mentally retarded (or both) are provided to any medically needy group, then each medically needy group is provided either the services listed in section 1905(a)(1) through (5) and (17) of the Act, or seven of the services listed in section 1905(a)(1) through (20). The services are provided as defined in 42 CFR Part 440, Subpart A and in sections 1902, 1905, and 1915 of the Act.

☐ Not applicable with respect to nurse-midwife services under section 1902(a)(17). Nurse-midwives are not authorized to practice in this State.

1902(e)(5) of the Act (ii) Prenatal care and delivery services for pregnant women.

TN No. 94-15

Supersedes

TN No. 87-02

Approval Date

NOV 28 1995

Effective Date

NOV 01 1994

HCFA ID: 7982E

Revision: HCFA-PM-91-1 (BPD)  
AUGUST 1991

OMB No.: 0938-

State/Territory: West Virginia

Citation 3.1(a)(2) Amount, Duration, and Scope of Services:  
Medically Needy (Continued)

(iii) Pregnancy-related, including family planning services, and postpartum services for a 60-day period (beginning on the day the pregnancy ends) and any remaining days in the month in which the 60th day falls are provided to women who, while pregnant, were eligible for, applied for, and received medical assistance on the day the pregnancy ends.

☐ (iv) Services for any other medical condition that may complicate the pregnancy (other than pregnancy-related and postpartum services) are provided to pregnant women.

(v) Ambulatory services, as defined in ATTACHMENT 3.1-B, for recipients under age 18 and recipients entitled to institutional services.

☐ Not applicable with respect to recipients entitled to institutional services; the plan does not cover those services for the medically needy.

(vi) Home health services to recipients entitled to nursing facility services as indicated in item 3.1(b) of this plan.

42 CFR 440.140,  
440.150, 440.160,  
Subpart B,  
442.441,  
Subpart C  
1902(a)(20)  
and (21) of the Act

☐ (vii) Services in an institution for mental diseases for individuals over age 65..

☒ (viii) Services in an intermediate care facility for the mentally retarded.

☒ (ix) Inpatient psychiatric services for individuals under age 21.

TN No. 94-15

Supersedes

TN No. 87-02

Approval Date JUN 30 1995

Effective Date

SEP 01 1994

HCFA ID: 7982E

Revision: HCFA-PM-93- 5 (MB)  
MAY 1993

State: West Virginia

Citation

3.1(a)(2) Amount, Duration, and Scope of Services:  
Medically Needy (Continued)

1902(e)(9) of  
Act

- X (x) Respiratory care services are provided to ventilator dependent individuals as indicated in item 3.1(h) of this plan.

1905(a)(23)  
and 1929 of the Act

- (xi) Home and Community Care for Functionally Disabled Elderly Individuals, as defined, described and limited in Supplement 2 to Attachment 3.1-A and Appendices A-G to Supplement 2 to Attachment 3.1-A.

ATTACHMENT 3.1-B identifies the services provided to each covered group of the medically needy; specifies all limitations on the amount, duration, and scope of those items; and specifies the ambulatory services provided under this plan and any limitations on them. It also lists the additional coverage (that is in excess of established service limits) for pregnancy-related services and services for conditions that may complicate the pregnancy.

TN No. 94-15  
Supersedes  
TN No. 87-04

Approval Date

JUN 30 1995

Effective Date

JUL 01 1994

Revision: HCFA-PM- - (MB)

State: West Virginia

Citation	3.1	<u>Amount, Duration, and Scope of Services (continued)</u>
	(a)(3)	<u>Other Required Special Groups: Qualified Medicare Beneficiaries</u>
1902(a)(10)(E)(i) and clause (VIII) of the matter following (F), and 1905(p)(3) of the Act		Medicare cost sharing for qualified Medicare beneficiaries described in section 1905(p) of the Act is provided only as indicated in item 3.2 of this plan.
1902(a)(10)(E)(ii) and 1905(s) of the Act	(a)(4)(i)	<u>Other Required Special Groups: Qualified Disabled and Working Individuals</u>
		Medicare Part A premiums for qualified disabled and working individuals described in section 1902(a)(10)(E)(ii) of the Act are provided as indicated in item 3.2 of this plan.
1902(a)(10)(E)(iii) and 1905(p)(3)(A)(ii) of the Act	(ii)	<u>Other Required Special Groups: Specified Low-Income Medicare Beneficiaries</u>
		Medicare Part B premiums for specified low-income Medicare beneficiaries described in section 1902(a)(10)(E)(iii) of the Act are provided as indicated in item 3.2 of this plan.
1925 of the Act	(a)(5)	<u>Other Required Special Groups: Families Receiving Extended Medicaid Benefits</u>
		Extended Medicaid benefits for families described in section 1925 of the Act are provided as indicated in item 3.5 of this plan.

TN

TN No. 93-06

Supersedes

TN No. 87-04

Approval Date

AUG 24 1993

Effective Date

4-1-93

## 21a

Revision: HCFA-PM-91-4 (BPD)  
AUGUST 1991

OMB No.: 0938-

State/Territory: West Virginia

Citation 3.1 Amount, Duration, and Scope of Services (Continued)

1902(a) and  
1903(v) of the Act  
and Section 401(b)  
(1)(A) of P.L. 104-193

(a)(6) Limited Coverage for Certain Aliens

An alien who is not a qualified alien or who is a qualified alien, as defined in section 431(b) of P.L. 104-193, but is not eligible for Medicaid based on alienage status, and who would otherwise qualify for Medicaid is provided Medicaid only for the treatment of an emergency medical condition (including emergency labor and delivery) as defined in section 1903(v)(3) of the Act.

TN No. 97-07  
Supersedes  
TN No. 94-15

Approval Date JUN 24 1997Effective Date 1/1/97

HCFA ID: 7982E



21b

Revision: HCFA-PM-91-4 (BPD)  
AUGUST 1991

OMB No.: 0938-

State/Territory: West Virginia

Citation 3.1(a)(6) Amount, Duration, and Scope of Services: Limited Coverage for Certain Aliens (Continued)

1095(a)(9)  
of the Act

(a)(7) Homeless Individuals

Clinic services furnished to eligible individuals who do not reside in a permanent dwelling or do not have a fixed home or mailing address are provided without restrictions regarding the site at which the services are furnished.

1902(a)(47) [ ]  
and 1920 of  
the Act

(a)(8) Presumptively Eligible Pregnant Women

Ambulatory prenatal care for pregnant women is provided during a presumptive eligibility period if the care is furnished by a provider that is eligible for payment under the State plan.

42 CFR 441.55  
50 FR 43654  
1902(a)(43),  
1905(a)(4)(B),  
and 1905(r) of  
the Act

(a)(9) EPSDT Services

The Medicaid agency meets the requirements of sections 1902(a)(43), 1905(a)(4)(B), and 1905(r) of the Act with respect to early and periodic screening, diagnostic, and treatment (EPSDT) services.

TN No. 97-07  
Supersedes  
TN No. 94-16

Approval Date JUN 24 1997

Effective Date 1/1/97

HCFA ID: 7982E

Revision: HCFA-PM-91-1  
AUGUST 1991

(BPD)

OMB No.: 0938-

State/Territory: West Virginia

Citation 3.1(a)(9) Amount, Duration, and Scope of Services: EPSDT Services (continued)

42 CFR 441.60

☒

The Medicaid agency has in effect agreements with continuing care providers. Described below are the methods employed to assure the providers' compliance with their agreements.

42 CFR 440.240  
and 440.250

(a)(10) Comparability of Services

1902(a) and 1902  
(a)(10), 1902(a)(52),  
1903(v), 1915(g), and  
1925(b)(4) of the Act

Except for those items or services for which sections 1902(a), 1902(a)(10), 1903(v), 1915 and 1925 of the Act, 42 CFR 440.250, and section 245A of the Immigration and Nationality Act, permit exceptions:

- (i) Services made available to the categorically needy are equal in amount, duration, and scope for each categorically needy person.
- (ii) The amount, duration, and scope of services made available to the categorically needy are equal to or greater than those made available to the medically needy.
- (iii) Services made available to the medically needy are equal in amount, duration, and scope for each person in a medically needy coverage group.
- ☒ (iv) Additional coverage for pregnancy-related services and services for conditions that may complicate the pregnancy are equal for categorically and medically needy.

TN No. 94-15

Supersedes 91-14

TN No. 91-14

Approval Date

JUL 20 1994

Effective Date

JUL 01 1994

HCFA ID: 7982E